



U.S. House of Representatives Committee on the Judiciary F. James Sensenbrenner, Jr., Chairman

<http://judiciary.house.gov/>

News Advisory

For immediate release
January 14, 2006

Contact: Jeff Lungren/Terry Shawn
202-225-2492

Sensenbrenner Highlights PATRIOT Act Conference Report Civil Liberty Safeguard #10

WASHINGTON, D.C. – With the PATRIOT Act set to expire in less than 3 weeks unless the Senate approves the conference report, House Judiciary Committee Chairman F. James Sensenbrenner, Jr. (R-Wis.) today highlighted the tenth of the dozens of civil liberties safeguards included in the PATRIOT Act conference report approved last month by a bipartisan majority of the House and pending before the U.S. Senate.

PATRIOT Act Conference Report Civil Liberty Safeguard #10 – Explicitly Clarifying that a Recipient of a National Security Letter (NSL) May Disclose Receipt to an Attorney or Others Necessary to Comply with or Challenge the Order:

As NSLs may only be used in highly sensitive international terrorism or foreign espionage investigations with national security implications, current law prohibits the recipient of an NSL from disclosing the receipt of such an order. **Current law is silent as to whether an NSL recipient may disclose the receipt of such an order to an attorney to comply with or challenge the order. The pending PATRIOT Act conference report clarifies this issue by stating explicitly that the recipient of an NSL may disclose receipt to an attorney or others necessary to comply with or challenge the order.** This civil liberty safeguard contained in the conference report does not exist under current law and was written by Rep. Jeff Flake (R-Ariz.).

Originally created by a Democrat-led Congress and signed into law by President Carter, NSLs are a long-standing tool by which the FBI and other appropriate federal law enforcement officials request, for sensitive foreign spying or international terrorism investigations, subscriber information and toll billing records of a wire or electronic communication service provider, such as a phone company or AOL.

####